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E & R AMENDMENTS TO LB 848

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 "Section 1. Section 7-102, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 7-102. (1) Admission to the Nebraska bar shall be
6 governed by admission standards and procedures established by rules
7 adopted by the Supreme Court. Such standards may include, without
8 limitation, educational requirements, character and fitness
9 standards, and satisfactory performance on a bar examination
10 testing the applicant's knowledge of such legal principles as the
11 court may determine. No person shall be admitted to the Nebraska
12 bar, nor permitted to retain such admittance, unless it is shown to
13 the satisfaction of the Supreme Court that such person is of good
14 moral character. The Supreme Court may appoint a bar commission,
15 designated as the Nebraska State Bar Commission, composed of not
16 less than six persons learned in the law to assist in or conduct
17 any bar examination and, by rule of court, to assist the Supreme
18 Court in matters pertaining to bar admission. The Supreme Court
19 ~~shall fix times when examination shall take place, which may be~~
20 ~~either in term or vacation, and shall prescribe and publish rules~~
21 ~~to govern such examinations and may appoint a commission composed~~
22 ~~of not less than three persons learned in the law to assist in or~~
23 ~~conduct any such examination or examinations. But no person shall~~
24 ~~be admitted to the bar unless such person is at least twenty-one~~

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1 years of age, and of good moral character, and unless such person
2 either has had a preliminary education, other than legal,
3 equivalent to that involved in the completion of the first three
4 years of a high school course accredited by the state department of
5 public instruction and has regularly and attentively studied law in
6 a reputable law school or in the office of a practicing attorney,
7 or partly in such school and partly in such office, for a period of
8 at least three years, at least one year of which office study shall
9 have been passed in a law office in this state, or shall have been
10 the regular, qualified and acting clerk of the Supreme Court or any
11 district court of this state for at least eight years, and shall
12 pass a satisfactory examination upon the principles of the common
13 law, equity, criminal law, statutes and practice of this state, or
14 is a regular graduate of the College of Law of the University of
15 Nebraska or of such other college of law of this state having
16 entrance requirements and a course of study equal to and equivalent
17 to those of the law school of the University of Nebraska, as the
18 Supreme Court shall, upon application and showing, designate as a
19 college of law whose graduates shall be entitled to admission
20 without examination. Such other college of law shall be a member
21 of the Association of American Law Schools. Provision shall be
22 made, by rule of court, for the registration of students in law
23 offices in this state, at the beginning of their respective terms
24 of study in the office of the Clerk of the Supreme Court or the
25 office of the clerk of the district court in the county in which
26 any such law office is located.

27 (2) The application for admission to the bar shall

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1 include the applicant's social security number. Each applicant
2 shall submit to the bar commission with the bar application for
3 admission a complete set of his or her legible fingerprints along
4 with written permission authorizing the set of fingerprints to be
5 forwarded to the Identification Division of the Federal Bureau of
6 Investigation, through the Nebraska State Patrol. Upon request by
7 the bar commission, the Nebraska State Patrol shall undertake a
8 search for criminal history record information relating to the
9 applicant, including transmittal of the applicant's fingerprints to
10 the Identification Division of the Federal Bureau of Investigation
11 for a national criminal history record information check. The
12 criminal history record information check shall include information
13 concerning the applicant from federal repositories of such
14 information and repositories of such information in other states if
15 authorized by federal law. The Nebraska State Patrol shall issue a
16 report to the bar commission and to the applicant which includes
17 the criminal history record information concerning the applicant.
18 The fingerprint record check provided for in this subsection shall
19 be solely for the purpose of evaluating and confirming information
20 provided by the applicant for admission, except that if the
21 applicant appeals a denial of admission to the bar or a refusal of
22 permission to take the bar examination, the filing of such an
23 appeal with the Supreme Court shall constitute a release of the
24 information obtained from such a fingerprint record check for
25 purposes of the appeal.

26 Sec. 2. Original section 7-102, Reissue Revised Statutes
27 of Nebraska, is repealed."

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- 1 2. On page 1, line 3, strike "requirements" and insert
- 2 "and membership requirements for the Nebraska bar".